

[PHUS020529]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Sai Shankar NANDAGOPALAN Examiner : Pablo N. Tran
Serial No. : 10/537,594 Art Unit : 2618
Filed : June 6, 2005 Conf. No. : 6772
For : System and method for using for a scheduler based on virtual frames

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

DECLARATION UNDER 37 CFR § 1.132

Dear Sir:

I, Sai Shankar Nandagopalan residing at 12105 Darkwood Road, San Diego, CA, 92129, USA, do hereby declare as follows:

1. I am a joint inventor of the invention described and claimed in the above-identified application.
2. I am also a joint inventor of the invention described and claimed in US Serial No. 10/180,570, filed on June 26, 2002, published on May 15, 2003, as Publication No. US 2003/0093526 A1.
3. I am herewith submitting this Rule 132 Declaration to overcome the provisional rejection under 35 U.S.C. §102(e) of the above-identified application by showing that any invention that may have been allegedly disclosed but not claimed in the earlier filed co-pending application No. 10/180,570, was derived from me as the co-inventor of the above-identified patent application and is thus not the invention "by another."

4. I declare further that all statements made herein of my own knowledge are true and all statements made herein on information and belief are believed to be true; and further that these statements and the like so made are punishable by fine or imprisonment or both, under §1001 of Title XVIII of the United States Code and that such willful false statement may jeopardize the validity of the application or any patent issuing thereon.

Sai Shankar

Sai Shankar Nandagopalan

06/25/2007

Date